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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/684,409	10/15/2003	Dae-Won Kim	253/039	4381

7590 01/19/2006  
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EXAMINER

PHAM, MINH CHAU THI

ART UNIT PAPER NUMBER

1724

DATE MAILED: 01/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	<b>Application No.</b> 10/684,409	<b>Applicant(s)</b> KIM ET AL.	
	<b>Examiner</b> Minh-Chau T. Pham	<b>Art Unit</b> 1724	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 November 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### ***Drawings***

Color photographs and color drawings are acceptable only for examination purposes unless a petition filed under 37 CFR 1.84(a)(2) is granted permitting their use as acceptable drawings. In the event that applicant wishes to use the drawings currently on file as acceptable drawings, a petition must be filed for acceptance of the color photographs or color drawings as acceptable drawings. Any such petition must be accompanied by the appropriate fee set forth in 37 CFR 1.17(h), three sets of color drawings or color photographs, as appropriate, and, unless already present, an amendment to include the following language as the first paragraph of the brief description of the drawings section of the specification:

The patent or application file contains at least one drawing executed in color. Copies of this patent or patent application publication with color drawing(s) will be provided by the Office upon request and payment of the necessary fee.

Color photographs will be accepted if the conditions for accepting color drawings have been satisfied.

Figures 4A-4F are photograph drawings. Appropriate correction is requested.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 15 and 17-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Larsson (3,216,183).

Larsson teaches a filter protection apparatus comprising a frame (8) defining an inner space for securing a filter (7), an attaching part (8a) for attaching the frame (8) to the filter securing part (6a), and a protection part (6) which is coupled on the inner surface of frame (8) with a plurality of holes (i. e. grating) through which air passes, and the protection part being spaced a predetermined distance away from the filter (7) to protect the filter from damage (see details of Fig. 3).

***Claim Rejections - 35 USC § 103***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 3-14, 16, 21 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Larsson (3,216,183), in view of Northcut (6,554,880 B1).

Claims 3-14, 16, 21 and 22 call for a moving member disposed on the frame and the attaching part is coupled to the moving member to cause the attaching part to move together with the moving member. Northcut discloses a moving member (50, 10) mounted on the frame in engagement with the elongated channels (2) (see details of Fig. 3 and col. 4, lines 1-12), and persons of ordinary skill in the art will understand that the relative size and number of moving members can be any of a wide selection, and the size and position of other components may vary depending on the particular application and range of use desired (col. 4, lines 52-58). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide a moving member as taught by Northcut in the filter apparatus of Larsson in order to

necessitate more frequent rearrangement of the filter cells to achieve optimal filtration while maintaining easy to install and replace a filter.

***Response to Arguments***

Applicant's arguments filed on November 3, 2005 have been fully considered but they are not persuasive.

Applicant argues that none of the cited prior arts the Japanese reference or Lurie discloses a filter protection apparatus including a frame in the shape of an air filter and attaching part for removably attaching the filter protection apparatus to the air filter. The Examiner now drops both the Japanese reference and Lurie and newly introduces Larsson as the primary for the 102(a) rejections of claims 1, 2, 15 and 17-20 to show: A filter protection apparatus comprising a frame (8) defining an inner space for securing a filter (7), an attaching part (8a) for attaching the frame (8) to the filter securing part (6a), and a protection part (6) which is coupled on the inner surface of frame (8) with a plurality of holes (i. e. grating) through which air passes, and the protection part being spaced a predetermined distance away from the filter (7) to protect the filter from damage (see details of Fig. 3), as claimed.

The Examiner still maintains Northcut as the secondary reference in combination with the primary Larsson under the 103(a) rejections of claims 3-14, 16, 21 and 22 to show: A moving member disposed on the frame and the attaching part is coupled to the moving member to cause the attaching part to move together with the moving member. Northcut discloses a moving member (50, 10) mounted on the frame in engagement with the elongated channels (2) (see details of Fig. 3 and col. 4, lines 1-12), as claimed,

and persons of ordinary skill in the art will understand that the relative size and number of moving members can be any of a wide selection, and the size and position of other components may vary depending on the particular application and range of used desired (col. 4, lines 52-58). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide a moving member as taught by Northcut in the filter apparatus of Larsson in order to necessitate more frequent rearrangement of the filter cells to achieve optimal filtration while maintaining easy to install and replace a filter.

Applicant's arguments with respect to claims 1-22 have been thoroughly considered but are moot in view of the new ground(s) of rejection, as discussed above.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh-Chau T. Pham whose telephone number is (571) 272-1163. The examiner can normally be reached on Mon/Tues/Thur/Fri 7:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on (571) 272-1166. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**Minh-Chau Pham**  
**Patent Examiner**  
**Art Unit: 1724**  
**January 17, 2006**